

REMARKS

Claims 1-3 and 6-20 are pending in this application. Claim 1 has been amended to recite that the maximum amount of component B) is "20 % by weight" in place of "50% by weight" as disclosed in the specification, for instance, at page 7, lines 28-30. Claim 1 has also been amended by deleting the term "highly branched" for purposes of clarification and not to limit its scope. Claim 20 is newly added. Claim 20 finds support for instance, at page 7, lines 28-30. The amendments to the claims and newly presented claims do not introduce any new matter.

Applicant's remarks in the Appeal Brief concerning the rejection of claims 1-3 and 6-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,712,336 to Gareiss et al. in view of U.S. Patent Publication No. 2002/0161113 to Dvornic et al. are incorporated herein by reference in the spirit of linguistic economy.

In addition, please find enclosed the Decisions, Opinions and Transcripts which were issued in U.S. Serial No. 11/813,833 (Appeal No. 2011-001420) and U.S. Serial No. 11/996,489 (Appeal No. 2011-001806). The Decisions and Opinions in those applications do not adversely impact the patentability of the claims as now presented in this application. In particular, the claims have been amended to more clearly define the hyperbranched polymers and to further limit the amount of the hyperbranched polymers. The prior Decisions and Opinions were based upon the claimed recitations concerning the highly branched or hyperbranched polymers which were broader than those now recited in the claims. Also the claims no longer recite "highly branched" so as avoid possible confusion.

Also enclosed are the Decision, Opinion and Transcript, which was issued in U.S. Serial No. 10/587,997 (Appeal No. 2012-000150). The Decision and Opinion in U.S. Serial No. 10/587,997 does not adversely impact the patentability of the claims as now presented in this application. In particular, the claims have been amended to recite that the maximum amount of component B) is "20 % by weight" in place of "50% by weight". Accordingly, the basis for the Board's Decision in U.S. Serial No. 10/587,997 that the data was not commensurate in scope

with the scope of the claims is not applicable in view of the more limited recitation concerning amounts of component B.

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees due with this paper to Deposit Account No. 03-2775, under Order No. 12810-00333-US1 from which the undersigned is authorized to draw.

Dated: April 3, 2012

Respectfully submitted,

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